

Article - Estates and Trusts

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§7–101.

(a) (1) A personal representative is:

(i) A fiduciary; and

(ii) Under a general duty to settle and distribute the estate of the decedent in accordance with the terms of the will and the estates of decedents law as expeditiously and with as little sacrifice of value as is reasonable under the circumstances.

(2) A personal representative shall use the authority conferred on the personal representative by:

(i) The estates of decedents law;

(ii) The terms of the will;

(iii) Orders in proceedings to which the personal representative is a party; and

(iv) The equitable principles generally applicable to fiduciaries, fairly considering the interests of all interested persons and creditors.

(b) Unless the time of distribution is extended by order of court for good cause shown, the personal representative shall distribute all the assets of the estate of which the personal representative has taken possession or control within the time provided in § 7–305 of this title for rendering the first account.

(c) The personal representative does not incur any personal liability for the payment of claims or distribution of assets even if the personal representative does not consider claims for injuries to the person prosecuted under the provisions of § 8–103(e) or § 8–104 of this article, if at the time of payment or distribution:

(1) The personal representative had no actual knowledge of the claim; and

(2) The plaintiff had not filed on time a claim with the register.

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